

**IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM
CRIMINAL MINUTES
CHANGE OF PLEA**

CASE NO.: CR-07-00065

DATE: October 15, 2007

HON. JOAQUIN V. E. MANIBUSAN, JR., Magistrate Judge, Presiding

Law Clerk: Judith P. Hattori

Court Reporter: Wanda Miles

Courtroom Deputy: Virginia T. Kilgore

Electronically Recorded: 9:11:41 - 9:29:34

CSO: B. Pereda

APPEARANCES:

Defendant: Joveno Catama Fernandez, Jr.

Attorney: John Gorman

Present Custody Bond P.R.

Present Retained FPD CJA

U.S. Attorney: Karon Johnson U.S. Agent: Richard Flores, Immigration and Customs Enforcement

U.S. Probation: Carmen O'Mallan U.S. Marshal: G. Perez

Interpreter: Language:

PROCEEDINGS: Change of Plea

- Defendant consented to enter his plea before a U.S. Magistrate Judge.
- Defendant sworn and examined.
- Defendant arraigned and advised of his rights, charges and penalties.
- No written plea agreement filed.
- Plea entered: Guilty Counts I and II
- Report and Recommendation executed by the Court.
- Sentencing set for: January 14, 2008 at 8:30 a.m.
- Draft Presentence Report due to the parties: December 7, 2007
- Response to Presentence Report: December 21, 2007
- Final Presentence Report due to the Court: January 7, 2008
- Defendant released as previously ordered by this Court.

NOTES:

Office of the
FEDERAL PUBLIC DEFENDER
District of Guam
400 Route 8, Suite 501
Mongmong, Guam 96910

John T. Gorman
Federal Public Defender

Telephone: (671) 472-7111
Facsimile: (671) 472-7120

October 11, 2007

Judith Hattori
Law Clerk
U.S. District Court
Anigua, Guam

R E C E I V E D
OCT 11 2007
DISTRICT COURT OF GUAM
HAGATNA, GUAM

RE: JOVENO CATAMA FERNANDEZ, JR., CR 07-00065

Dear Judith:

My client is prepared to allocute to the following stipulated facts at his guilty plea hearing on Monday, October 15, 2007 at 9:00 a.m.

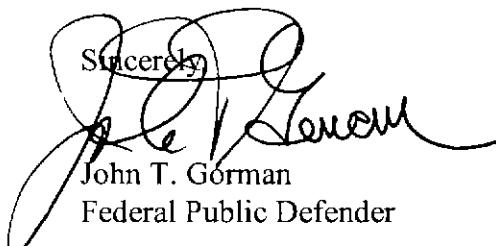
"I was born in 1963 and I am a U.S. citizen.

Marriage Fraud: On October 11, 2006, on Guam, I knowingly entered into a marriage with Ju Mi An. Ms. An is a Korean national. This was not a true marriage. I married Ms. An for the purpose of evading U. S. Immigration Laws and to assist her in remaining in Guam.

Perjury: On May 16, 2007, I was interviewed by U.S. Citizenship and Immigration Services (USCIS) Officer, Matthew Mumper at the USCIS office in Hagatna, Guam. At that time, I took an oath to testify truthfully regarding my alleged marriage to Ms. Ju Mi An. I took this oath before Mr. Mumper, the USCIS officer in this case. The law of the United States authorizes an oath to be administered in connection with the enforcement of U.S. immigration and naturalization laws. I willfully told Mr. Mumper, under oath, that my marriage to Ms. An was a true marriage and not done to assist Ms. An evade U.S. Immigration Laws. This statement was untrue. This statement was material to the USCIS investigation of our marriage and was contrary to my oath to testify truthfully.

Please do not hesitate to contact me if you have any questions.

US Attorney's Office
Districts of Guam & NMI
Time OCT 11 2007 2:30pm
Receiving name DS
Date keyed into Obase 10/11/07
Entered into Obase by John T. Gorman, AUSA

Sincerely,

John T. Gorman
Federal Public Defender